IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.675 OF 2007

Harshad Kantilal Shah .. Petitioner.
Vs.
State of Maharashtra .. Respondent.

Mr.R.A.Shaikh for the petitioner.
Mrs.U.V.Kejariwal APP for the respondent.

CORAM : SMT.RANJANA DESAI &
D.B.BHOSALE, JJ.
DATED : 12TH JUNE, 2007.

P.C.:

. Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner wants to plead guilty in absentia. He is alleged to have committed offences under sections 279, 337 and 338 of the Indian Penal Code. He made an appplication to the concerned Magistrate, however, the concerned Magistrate has rejected the said application. He has, therefore, approached this Court. In the circumstances of the case we are not inclined to interfere with the impugned order rejecting the said prayer. The learned counsel for the petitioner states that he may be permanently exempted from appearing in the Court. In this connection the petitioner can always make an application to the concerned Magistrate. If the

petitioner makes such application through his advocate before the concerned Magistrate, the same shall be considered by the Magistrate in accordance with law and in the light of judgment of this Court in **Bhaskar Sen Vs. State of Maharashtra and Others 2004(4) Mh.L.J.1114**. In view of this the learned counsel for the petitioner seeks permission to withdraw this petition. The petition is allowed to be withdrawn and disposed of as such.

(SMT.RANJANA DESAI, J.)

(D.B.BHOSALE, J.)